

S.R. 442 - By Caperton: Extending sincere best wishes to the citizens of Austin County for a successful sesquicentennial celebration.

S.R. 443 - By Caperton: Extending sincere best wishes to the citizens of Houston County as they commemorate their 150th birthday anniversary.

S.R. 444 - By Caperton: Commending Humana, Inc., for establishing Humana Hospital in Brazos Valley.

S.R. 445 - By Caperton: Expressing sincere appreciation to Loyas Drehr.

S.R. 446 - By Caperton: Expressing sincere appreciation to Mildred Grimm.

S.R. 447 - By Caperton: Commending Doris Schomberg.

S.R. 449 - By Caperton: Expressing appreciation to the volunteers, organizations, businesses, associations and agencies for their activities in defense of the beauty of the State of Texas.

S.R. 450 - By Brown: Commending the academic decathlon teams of John Foster Dulles High School and William P. Clements, Jr., High School, Fort Bend Independent School District, and J. J. Pearce High School, Richardson Independent School District.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:17 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

Sent to Governor
(April 22, 1987)

S.B. 162

S.B. 357

S.B. 563

FORTY-SIXTH DAY

(Thursday, April 23, 1987)

The Senate met at 11:00 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sims, Tejada, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Lord and merciful Father, on this day we pause to thank You for every gift. We pray You will grant to these who serve in places of leadership and decision, wisdom for the choices to be made and insight in full measure for the conflicts that are inevitable. We pray this in the name of the One who made us all. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Santiesteban submitted the following report for the Committee on Natural Resources:

S.B. 1252
S.B. 853
C.S.S.B. 779
C.S.S.B. 911
C.S.S.B. 1189
C.S.S.B. 912
C.S.S.B. 1177
S.B. 631
S.B. 969
C.S.S.B. 448
C.S.S.B. 909
C.S.S.B. 1178

Senator Farabee submitted the following report for the Committee on State Affairs:

H.J.R. 3
S.B. 1266
S.B. 1301
S.B. 1363
S.B. 933
S.B. 977
S.B. 981
S.B. 1303
H.B. 1407
C.S.S.B. 195
C.S.S.B. 601

Senator Brown, Vice-Chairman, submitted the following report for the Committee on Jurisprudence:

S.B. 250 (Amended)
C.S.S.B. 654
C.S.S.B. 656

Senator Parmer submitted the following report for the Committee on Intergovernmental Relations:

H.B. 1279
H.B. 1280
H.B. 623
H.B. 783
H.B. 917
S.B. 660
H.B. 16
H.B. 254
S.B. 1334
S.B. 1335
H.B. 725

C.S.S.B. 1336
C.S.S.B. 1374

MESSAGE FROM THE HOUSE

House Chamber
April 23, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 686, Relating to the making of payments to a crime stoppers program as a condition of probation.

H.B. 161, Relating to the spousal exemption from prosecution for sexual assault.

H.B. 1036, Relating to the authority of members and employees of the Railroad Commission of Texas to have ex parte consultations and communications and to authorize certain discovery proceedings.

H.B. 1421, Relating to eligibility for and the operation of the Texas Public School Retired Employees Group Insurance Program.

H.B. 9, Relating to the length of oil well servicing units operated on public roads.

H.B. 287, Relating to the disqualifications of certain judges to serve as assigned judges.

H.B. 190, Relating to the right of a person to protest a property tax determination relating to property owned by the person.

H.B. 110, Relating to protective orders in cases of family violence.

H.B. 354, Relating to allowing a junior college district to participate in the selection of an appraisal district board of directors.

H.B. 620, Relating to certain types of discrimination by insurers.

H.B. 625, Relating to the regulation of structural pest control practitioners.

H.B. 523, Relating to the definition of health care provider for the purposes of professional liability insurance coverage.

H.B. 573, Relating to suspension of the running of a statute of limitations because of a person's imprisonment.

H.B. 1010, Relating to reducing the number of students who drop out of public school.

H.B. 430, Relating to the sentencing of a defendant to the Texas Department of Corrections with a period of probation to commence on release from the department or center.

H.B. 2022, Relating to the imposition of certain fees and taxes on insurers and health maintenance organizations.

H.C.R. 129, Congratulating the Lanier High School girls' basketball team.

S.C.R. 97, Designating the period from April 26 through May 2, 1987, as Texas Crime Victim Rights Week.

S.C.R. 45, Creating a committee to designate a Poet Laureate.

H.C.R. 167, Requesting the Governor to create the Christopher Columbus Quincentenary Jubilee Commission.

H.C.R. 78, Granting American General Life and Accident Insurance Company permission to sue the State of Texas and the State Board of Insurance.

H.C.R. 81, Granting Pringle-Dixon-Pringle permission to sue the State of Texas and The University of Texas System Cancer-M.D. Anderson Hospital and Tumor Institute.

H.C.R. 82, Granting Charles W. Wheat permission to sue the State of Texas and the Texas Department of Corrections.

H.C.R. 85, Granting W. E. Washerlesky, Jr. permission to sue the State of Texas and the Texas Veterans' Land Board.

H.C.R. 56, Granting Otis Elevator Company permission to sue the State of Texas and Texas Southern University.

H.C.R. 134, Granting Healthcare Planners, Inc., permission to sue the State of Texas and the Texas Department of Mental Health and Mental Retardation.

H.C.R. 137, Authorizing the Speaker and Lieutenant Governor to create special joint committees during the interim.

H.C.R. 147, Granting the John G. and Marie Stella Kenedy Memorial Foundation permission to sue the State of Texas and the General Land Office.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS ON FIRST READING

On motion of Senator Harris and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

S.B. 1447 by Harris Economic Development
Relating to the creation of a registered professional engineer's lien on property owned by a person who is liable for the amount owed for engineering work.

S.B. 1448 by Brown State Affairs
Relating to the qualifications of central counting station personnel in elections using electronic voting systems.

S.B. 1449 by Caperton Intergovernmental Relations
Relating to a public defender in Colorado County.

S.B. 1450 by Caperton Intergovernmental Relations
Relating to the redesignation of the County Court at Law of Brazos County as the County Court at Law No. 1 of Brazos County.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read the first time and referred to the Committee indicated:

H.J.R. 1, To Committee on Finance.

H.B. 1196, To Committee on Criminal Justice.

H.B. 858, To Committee on Education.

CO-AUTHOR OF SENATE BILL 493

On motion of Senator Tejeda and by unanimous consent, Senator Truan will be shown as Co-author of **S.B. 493**.

CO-AUTHOR OF SENATE BILL 1333

On motion of Senator Santiesteban and by unanimous consent, Senator Anderson will be shown as Co-author of **S.B. 1333**.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolution:

S.C.R. 94

S.B. 119

S.B. 206

S.B. 816

SENATE BILL 658 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 658, Relating to the designation of Laredo State University as an upper-level educational institution and to the removal of the coordinating board's authority to discontinue the institution.

The bill was read second time.

Senator Zaffirini offered the following committee amendment to the bill:

Amend **S.B. 658** by striking SECTION 1 and adding a new SECTION 1 to read as follows:

SECTION 1. Section 104.41, Education Code, is amended to read as follows:
Sec. 104.41. ESTABLISHMENT; SCOPE [~~DISCONTINUATION~~]. The board may establish an upper-level educational institution [center] in the city of Laredo, to be known as Laredo State University, to accept junior, senior, and master's level students only. This upper level educational institution [center may be discontinued by the Coordinating Board, Texas College and University System, at its discretion and] shall never be converted to a free-standing, fully state supported coeducational institution of higher learning until [it has complied with all requirements imposed by the coordinating board and until] the site for such institution, consisting of at least 200 acres of land, shall have been provided at no cost to the state.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 658 ON THIRD READING

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 658** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE SENATE BILL 455
ON SECOND READING**

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 455, Relating to substitution of certain fiduciaries.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 455
ON THIRD READING**

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 455** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE SENATE BILL 1035
ON SECOND READING**

On motion of Senator Tejeda and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1035, Relating to the prescription, possession, and delivery of anabolic steroids and human growth hormones; providing a penalty.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 1035
ON THIRD READING**

Senator Tejeda moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1035** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

GUESTS PRESENTED

Senator Glasgow was recognized and introduced Dr. Don Beyer of Boyd, the Capitol Physician for the Day.

Dr. Beyer, accompanied by his wife, Mary Lou, was welcomed by the Senate and received an expression of appreciation for his service.

SENATE BILL 1108 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1108, Relating to a defendant's right to be represented by counsel in certain criminal proceedings and to the duties and compensation of appointed counsel.

The bill was read second time.

Senator Farabee offered the following committee amendment to the bill:

Amend **S.B. 1108** as follows:

1. On page 6, lines 1 and 2 strike the phrase "as set by the court".
2. On page 6, add new subsections (b) and (c) and renumber the current sections accordingly.

(b) All payments made under this article shall be paid in accordance with a schedule of fees adopted by formal action of the county and district criminal court judges within each county, except that in a county with only one judge with criminal jurisdiction the schedule will be adopted by the administrative judge for that judicial district.

(c) Each fee schedule adopted will include a fixed rate, minimum and maximum hourly rates and daily rates and will provide a form for reporting the types of services performed in each one. No payment shall be made under this section until the form for reporting the services performed is submitted and approved by the court and is in accordance with the fee schedule for that county.

The committee amendment was read and was adopted viva voce vote.

Senator Farabee offered the following amendment to the bill:

Amend **S.B. 1108** by changing Subsection (c) in SECTION 2 to read as follows:

(c) A defendant who requests a determination of indigency and appointment of counsel shall [if requested by the court];

The amendment was read and was adopted viva voce vote.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 1108 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1108** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

RECORD OF VOTES

Senators Anderson and Lyon asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE SENATE BILL 339
ON SECOND READING**

Senator Leedom asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 339, Relating to the design, development, adoption, implementation, and administration of cafeteria plans of insurance benefits for state employees and for Texas college and university employees, and defining the compensation of members of the Employees Retirement System of Texas.

There was objection.

Senator Leedom then moved to suspend the regular order of business and take up **C.S.S.B. 339** for consideration at this time.

The motion prevailed by the following vote: Yeas 23, Nays 4.

Yeas: Barrientos, Blake, Brooks, Farabee, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Parker, Parmer, Santiesteban, Sarpalius, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Nays: Anderson, Armbrister, Edwards, Glasgow.

Absent: Brown, Caperton, Montford, Washington.

The bill was read second time and was passed to engrossment viva voce vote.

RECORD OF VOTE

Senator Glasgow asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 339
ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 339** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Anderson, Barrientos, Blake, Brooks, Brown, Farabee, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Parker, Parmer, Santiesteban, Sarpalius, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Nays: Armbrister, Edwards, Glasgow, Washington.

Absent: Caperton, Montford.

The bill was read third time and was passed viva voce vote.

RECORD OF VOTE

Senator Glasgow asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 800 ON SECOND READING

On motion of Senator Parmer and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 800, Relating to the creation of a Law Enforcement Management Institute under the direction of the Commission on Law Enforcement Officer Standards and Education.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 800 ON THIRD READING

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 800 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 727 ON SECOND READING

Senator Glasgow moved to suspend the regular order of business to take up for consideration at this time:

S.B. 727, Relating to the effect of a reduction in state revenue allocated to a school district on the district's ad valorem tax rate.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Sims.

Absent: Caperton, Montford.

The bill was read second time.

Senator Krier offered the following amendment to the bill:

Amend S.B. 727 by adding a new section, appropriately numbered, to read as follows:

SECTION ____ (a) Subchapter A, Chapter 130, Education Code, is amended by adding Section 130.0032 to read as follows:

Sec. 130.0032. EFFECT OF LOST STATE AID ON TAX INCREASES. (a) Before September 1 of 1987 and 1988, the commissioner of higher education shall calculate for each junior college district the total amount by which the district's allocations under Section 130.003 of this code are increased or reduced from the preceding state fiscal year to the current state fiscal year. For that purpose, the commissioner shall compare the allocation for the current year with the allocation that the district would have received in the current year if the total amount appropriated for allocation under Section 130.003 in the current year were the same as in the preceding year and if the allocations under that section for the current year were made on the basis of the same formulas as allocations made in the preceding year.

(b) If a district's allocations are reduced, the commissioner shall certify the amount of the reduction to the district. Accordingly, the percentage of tax rate increase that allows voters to limit the district's ad valorem tax rate is increased as provided by Section 26.07(j), Tax Code.

(c) This section expires May 1, 1989.

(b) Section 26.07, Tax Code, is amended by adding Subsection (j) to read as follows:

(j) If a junior college district is certified by the commissioner of higher education under Section 130.0032, Education Code, to have incurred reduced allocations from the preceding state fiscal year, the tax rate adopted for 1987 or 1988 that allows voters to seek to limit the junior college district's tax rate under this section must exceed the rate calculated under Section 26.04 of this code by eight percent plus the percentage of increase necessary to impose taxes in an amount equal to the certified amount of lost allocations. This subsection expires May 1, 1989.

(c) The change in law made by this section applies to the application of Section 26.07, Tax Code, to the tax rate of a junior college district adopted for 1987, even if the tax rate for 1987 is adopted before the effective date of this section, unless an election under Section 26.07, Tax Code, to limit the tax rate is held before the effective date. In that event, the tax rate for 1987 is subject to the limitation provided by Section 26.07, Tax Code, as it existed on the date the election was held if a majority of the qualified voters voting in the election favor imposing the limitation.

(d) If this section takes effect too late for the commissioner of higher education to comply in 1987 with Section 130.0032, Education Code, as added by this section, the commissioner shall perform the duties provided by Section 130.0032 for 1987 as soon after the effective date of this section as practicable.

The amendment was read and was adopted viva voce vote.

On motion of Senator Glasgow and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 727 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 727 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Parker, Parmer, Santiesteban, Sarpalius, Tejada, Truan, Uribe, Whitmire, Zaffirini.

Nays: Sims, Washington.

Absent: Caperton, Montford.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 1.

Nays: Sims.

Absent: Caperton, Montford.

HOUSE CONCURRENT RESOLUTION 92 ON SECOND READING

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H.C.R. 92, Honoring the First Biennial Symposium on Minorities and Cancer.

The resolution was read second time and was adopted viva voce vote.

SENATE BILL 126 ON SECOND READING

On motion of Senator Lyon and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 126, Relating to the issuance of a search warrant based on the sworn oral statement of a peace officer to a magistrate.

The bill was read second time and was passed to engrossment viva voce vote.

RECORD OF VOTES

Senators Washington, Glasgow, Johnson and Barrientos asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**MOTION TO PLACE
SENATE BILL 126 ON THIRD READING**

Senator Lyon moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 126** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 21, Nays 8. (Not receiving four-fifths vote of Members present)

Yeas: Anderson, Armbrister, Blake, Brooks, Brown, Edwards, Farabee, Green, Harris, Henderson, Jones, Krier, Leedom, Lyon, McFarland, Parmer, Sarpalius, Tejeda, Truan, Whitmire, Zaffirini.

Nays: Barrientos, Glasgow, Johnson, Parker, Santiesteban, Sims, Uribe, Washington.

Absent: Caperton, Montford.

**COMMITTEE SUBSTITUTE SENATE BILL 1333
ON SECOND READING**

On motion of Senator Santiesteban and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1333, Relating to the Farm and Ranch Finance Program and the Family Farm and Ranch Security Program.

The bill was read second time.

Senator Sarpalius offered the following amendment to the bill:

Amend **C.S.S.B. 1333** by adding the following as Section 17 and renumbering the remaining sections appropriately:

SECTION 17. Section 252.014, Agriculture Code, is amended to read as follows:

Sec. 252.014. **ADMINISTRATIVE EXPENSES.** (a) The legislature shall appropriate the funds that are required for the administration of this chapter and that exceed the funds available from the administrative fund.

(b) The total amount of payments made during a fiscal year for the expenses of administering this chapter may not exceed one percent of the total amount of family farm and ranch security loan guarantees made under the family farm and ranch security program during the preceeding fiscal year.

SECTION 2. Subsection 252.082(b), Agriculture Code, is amended to read as follows:

(b) Except as otherwise provided by this subsection, the comptroller of public accounts shall credit accrued interest received in the sale of bonds and income from investments of the loan security fund and the interest and sinking fund to the interest and sinking fund. If the accrued interest and income in any year exceeds the cost of paying principal and interest on farm and ranch loan security bonds and any exchange and collection charges, the comptroller shall transfer the amount in excess of those payments first to the credit of the farm and ranch loan administration fund, subject to the administrative expense payment limitation of

Section 252.014, and finally to the credit of the farm and ranch security fund for the purpose of financing payment adjustments as provided by Section 252.081.

SECTION 3. Chapter 252, Agriculture Code, is amended by adding Section 252.0821 to read as follows:

Sec. 252.0821. ADMINISTRATION FUND. The farm and ranch loan administration fund is created with the state treasurer for the payment of the expenses of administering this chapter.

SECTION 4. This Act takes effect September 1, 1987.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The amendment was read and was adopted viva voce vote.

On motion of Senator Santiesteban and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 1333
ON THIRD READING**

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1333 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE SENATE BILL 1225
ON SECOND READING**

On motion of Senator Henderson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1225, Relating to the creation of reinvestment zones and to the abatement of ad valorem taxes in reinvestment zones.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 1225
ON THIRD READING**

Senator Henderson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1225 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 560 ON SECOND READING

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 560, Relating to costs incurred by governmental bodies to supply certain public records.

The bill was read second time.

Senator Blake offered the following committee amendment to the bill:

Amend Section 1(a) of **S.B. 560** by striking the period at the end of the sentence on line 17 or page 1 and adding a comma and the following language:

except if the request is for fifty (50) pages or less of readily available information.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Blake and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 560 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 560** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

House Chamber
April 23, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 355, Relating to the compensation, allowances, and appointment of certain county officers. (Amended and substituted)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE SENATE BILL 667
ON SECOND READING**

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 667, Relating to the creation of an offense involving certain sales of tickets to events; providing a penalty.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 667
ON THIRD READING**

Senator Brown moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 667** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 1265 ON SECOND READING

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1265, Relating to voting by and the cancellation of the voter registrations of persons whose names appear on the lists of returned registration certificates.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1265 ON THIRD READING

Senator Barrientos moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1265** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 648
ON SECOND READING**

On motion of Senator Uribe and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 648, Relating to the qualifications of the hospital administrators for the South Texas Hospital and San Antonio State Chest Hospital.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 648
ON THIRD READING**

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 648** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE SENATE BILL 537
ON SECOND READING**

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 537, Relating to the health risk assessment of certain toxic substances and harmful physical agents by the Texas Department of Health.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 537
ON THIRD READING**

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 537** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

MESSAGE FROM THE HOUSE

House Chamber
April 23, 1987

**HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE**

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 39, Relating to the creation, purpose, powers and duties, and funding of a hazardous waste research center at Lamar University at Beaumont.

S.B. 80, Relating to the adoption of a continuing education requirement for certain insurance agents. (Amended)

S.B. 82, Relating to the authority of a peace officer to make warrantless arrests outside his jurisdiction and to his duties after making the arrest, and to workers' compensation insurance for such peace officers.

S.B. 521, Relating to the operation of a motor vehicle while consuming an alcoholic beverage. (Amended)

S.B. 280, Relating to conforming the Election Code to Acts of the 69th Legislature and making certain corrective and conforming amendments.

S.B. 326, Relating to administration of, participation and credit in, and benefits from certain municipal retirement systems.

S.B. 95, Relating to changing the name of the State Board of Morticians to the Texas Funeral Service Commission, and to the powers and duties of that commission, and to regulation of funeral directing and embalming. (Substituted and amended)

S.B. 335, Relating to testing public school teachers or administrators.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 1054 ON SECOND READING

On motion of Senator Green and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1054, Relating to accounting for and reporting certain reinsurance agreements.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1054 ON THIRD READING

Senator Green moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1054** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1387 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1387, Relating to handling protest payments of taxes imposed on certain types of insurance business.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1387 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1387** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 1021 REREFERRED

On motion of Senator Farabee and by unanimous consent, **H.B. 1021** was withdrawn from the Committee on Economic Development and rereferred to the Committee on State Affairs.

**NOTICE OF SESSION TO HOLD
LOCAL AND UNCONTESTED BILLS CALENDAR**

Senator Blake announced that a Local and Uncontested Bills Calendar had been placed on the Members' desks and gave notice that a Local and Uncontested Bills Calendar would be held at 8:30 a.m. on Friday, April 24, 1987, and that all bills and resolutions would be considered on second and/or third reading in the order in which they are listed.

MOTION TO RECESS

On motion of Senator Brooks and by unanimous consent, the Senate agreed to take recess at the conclusion of this afternoon's session until 8:30 a.m. tomorrow.

The Senate further agreed to take recess at the conclusion of tomorrow's Local Calendar session until 9:30 a.m. tomorrow.

RECESS

On motion of Senator Brooks, the Senate at 12:19 p.m. took recess until 1:30 p.m. today.

AFTER RECESS

The Senate met at 1:30 p.m. and was called to order by Senator Parker.

MESSAGE FROM THE HOUSE

House Chamber
April 23, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 701, Relating to the offense of burglary of coin operated or coin collection machines.

S.B. 630, Relating to the Teacher Retirement System of Texas. (Amended)

S.B. 591, Relating to the creation of the constitutional office of criminal district attorney of Polk County and to the abolition of the office of county attorney in that county.

S.B. 469, Relating to transferring certain duties relating to the administration of an appraisal district from the county clerk to the chief appraiser and revising certain procedures in the appointment of an appraisal district board of directors.

S.B. 431, Relating to compensation of members of the State Pension Review Board. (Substituted)

S.B. 312, Relating to the ownership by an appraisal district of interests in property and to the location of an appraisal district office.

S.B. 20, Relating to the impoundment and return of estrays. (Amended)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

BILLS SIGNED

The Presiding Officer (Senator Parker in Chair) announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills:

S.B. 335

S.B. 39

WELCOME AND CONGRATULATORY RESOLUTIONS

S.C.R. 104 - By Leedom: Commending the Texas Association of Counties for its dedicated project in helping provide the words to our Texas State Song, "Texas Our Texas."

S.R. 451 - By Brooks: Extending congratulations to Eagle Scout Michael McCulloch.

S.R. 452 - By Zaffirini: Commending Tressa Mogas.

S.R. 454 - By Glasgow: Extending welcome to Dr. Don Beyer, Capitol Physician for the Day.

S.R. 455 - By Glasgow: Commending the Cleburne High School Yellow Jackets basketball team.

RECESS

Senator Parker announced at 1:36 p.m. that the Senate would stand recessed until 8:30 a.m. tomorrow in accordance with a motion previously adopted by the Senate.

APPENDIX

Signed by Governor
(April 21, 1987)

S.C.R. 72
S.C.R. 73
S.C.R. 86
S.C.R. 20
H.C.R. 20
H.C.R. 3
H.C.R. 159
H.C.R. 143

(April 22, 1987)

S.B. 13 (Effective immediately)
S.B. 111 (Effective immediately)
S.B. 16 (Effective January 1, 1988)
H.B. 288 (Effective September 1, 1987)
H.C.R. 54

Sent to Governor
(April 23, 1987)

S.C.R. 94
S.B. 39
S.B. 119
S.B. 206
S.B. 335
S.B. 816